

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

In re POLYURETHANE FOAM ANTITRUST
LITIGATION

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) MDL Docket No. 2196

This document relates to:

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) All Direct Purchaser Class and Indirect Purchaser
Class Cases

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) Index No. 10MD2196(JZ)

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)
) Spring Air International LLC et al. v. Hickory
Springs Manufacturing Company et al.,
Case No. 3:11-pf-10001-JZ

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) Sealy Corporation et al. v. Carpenter Co. et al.,
Case No. 1:11-pf-10007-JZ

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) H.M. Richards, Inc. et al. v. Hickory Springs
Manufacturing Company et al.,
Case No. 1:11-pf-10008-JZ

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) Henson Sleep Relief, Inc. v. Hickory Springs
Manufacturing Company et al.,
Case No. 1:11-pf-10009-JZ

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) Factory Direct, Inc. v. The Carpenter Co., et al.,
Case No. 1:11-pf-10011-JZ

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) The Rose Hill Company, Inc. v. Hickory Springs
Manufacturing Company et al.,
Case No. 1:11-pf-10014-JZ

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) Life Style Furniture Company, Inc. v. Hickory
Springs Manufacturing Company et al.,
Case No. 1:11-pf-10015-JZ

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) Corinthian, Inc. v. Hickory Springs
Manufacturing Company et al.,
Case No. 1:11-pf-10016-JZ

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) Tupelo Foam Sales, Inc. v. Hickory Springs
Manufacturing Company et al.,
Case No. 1:11-pf-10017-JZ

Dykes Industries of Mississippi, Inc. v. Hickory)
Springs Manufacturing Company et al.,)
Case No. 1:11-pf-10018-JZ)
)
Corsicana Bedding, Inc. et al. v. Hickory Springs)
Manufacturing Company et al.,)
Case No. 1:12-pf-10000-JZ)
(Case No. 3:11-cv-03372 (N.D. Tex.)))
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**CERTAIN DEFENDANTS' MEMORANDUM IN RESPONSE TO STIPULATIONS AND
MOTIONS TO SUSPEND LITIGATION AGAINST DOMFOAM INTERNATIONAL,
INC., VALLE FOAM INDUSTRIES (1995) INC. AND A-Z SPONGE & FOAM
PRODUCTS LTD.**

On January 10 and 11, 2012, Plaintiffs and Defendants Domfoam International, Inc., Valle Foam Industries (1995) Inc. and A-Z Sponge & Foam Products Ltd. (collectively, the "Settling Defendants") filed joint stipulations and motions (the "Joint Motions") to suspend litigation against the Settling Defendants in the above-captioned cases pursuant to their January 3, 2012 settlement agreement relating to those cases. Defendants Carpenter Co., E.R. Carpenter, L.P., Carpenter Holdings, Inc., Flexible Foam Products, Inc., Future Foam, Inc., FXI - Foamex Innovations, Inc., Hickory Springs Manufacturing Co., Leggett & Platt, Incorporated, Mohawk Industries Inc., Otto Bock Polyurethane Technologies, Inc., Woodbridge Foam Corporation, Woodbridge Foam Fabricating, Inc., and Woodbridge Sales & Engineering, Inc. (collectively, the "Non-Settling Defendants") take no position as to whether the Court should grant or deny the Joint Motions. However, should the Court decide to grant the Joint Motions, the Non-Settling Defendants respectfully request that the Court make clear in its Order that nothing in the Joint Motions or the Court's Order shall operate to preclude or otherwise alter the Non-Settling Defendants' rights and ability to seek and procure discovery from the Settling Defendants in this case.

Dated: January 20, 2012

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CERTIFICATE OF SERVICE

I hereby certify that on January 20, 2012, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

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